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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,647	08/07/2001	Hiroyuki Takahashi	35.C15654	9232

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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,647

Applicant(s)

TAKAHASHI, HIROYUKI

Examiner

King Y. Poon

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 8-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's election without traverse of the restriction requirement in the reply filed on 10/2/2006 is acknowledged.
2. The amendment filed on 8/30/2005 is entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 4 rejected under 35 U.S.C. 102(e) as being anticipated by Zuber (US 6,035,103).

Regarding claims 1: Zuber teaches an image processing method for processing an input job (column 5, lines 10-25) in parallel by a plurality of color image output apparatus (print engine, column 18, lines 15-18), comprising: a developing step of developing input image data into bit map image data (passed ripped pages to the engine at the same time inherently requires all the images that is to be sent to the print engines developed, column 18, lines 5-30), wherein said developing step includes first and second modes (preferred mode and write through mode, column 18, lines 5-30),

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wherein, in the first mode the input image data is developed a number of times equal to the number of color image output apparatus (passed ripped pages to the engine at the same time inherently requires all the images that is to be sent to the print engines developed), using a color processing condition (column 30, lines 1-10) corresponding to each of the plurality of color image output apparatus, and wherein, in the second mode, the input image data is developed once using an optional color processing condition and condition (column 35, lines 50-55, column 36, lines 47-53), and a result obtained in said developing step is output to the plurality of color image output apparatus (column 18, lines 5-30).

Regarding claim 3: Zuber teaches wherein the optional color processing condition is a color processing condition corresponding to a combination of the plurality of color image output apparatus (column 35, lines 30-35).

Regarding claim 4: Zuber teaches wherein the optional color processing condition is average values of color processing conditions corresponding to the plurality of color image output apparatus (column 35, lines 30-35).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2, 6, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuber (US 6,035,103).

Regarding claim 2: Zuber teaches, wherein the optional color processing condition is a color processing condition corresponding to one of the plurality of color image output apparatus (column 20, lines 60-65, teaches to use two printers as the plurality of printers and teaches to exclude color processing condition of one of the print engine in calculating the average color processing condition, column 36, lines 1-15). In such a case, it would have been obvious that the average color processing condition corresponding to one of the two color processing condition).

Regarding claim 6: Zuber teaches an image processing apparatus (e.g., fig. 1) for processing an input job (column 5, lines 10-25) in parallel by a plurality of color image output apparatus (print engine, column 18, lines 15-18), comprising: means for developing input image data into bit map image data (RIP, column 18, lines 7-20); and selecting means (note) for selecting either a first mode or a second mode in said means for developing, wherein, in the first mode (write through mode, column 18, lines 15-30), the input image data is developed a number of times equal to the number of color image output apparatus, (passed ripped pages to the engine at the same time inherently requires all the images that is to be sent to the print engines developed, column 18, lines 5-30), by using a color processing condition (column 30, lines 1-10) corresponding to each of the plurality of color image output apparatus, and wherein, in the second mode (preferred mode, column 18, lines 10-15), the input image data is developed by once using an optional color processing condition (column 35, lines 50-55, column 36,

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lines 47-53), and in both modes a result obtained by said means for developing is output to the plurality of color image output apparatus (column 18, lines 5-30).

Note: Although Zuber does not specifically disclosed a selection means, it would have been obvious to a person with ordinary skill in the art to know that the system must have a selection means (or at least provide a selection mean) such that the system is using either the prefer mode or the write through mode. The system is impossible to operate in both the prefer mode or the write through mode.

Regarding claim 7: Zuber teaches that his invention of claim 6 is implemented in a processor running programs (column 16, line 36, column 5, lines 22-25); inherently, all programs runs by a processor are stored in a computer readable medium.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 2, 6, 7 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

With respect to applicant's argument that claim 14 is generic has been considered.

In reply: The examiner has determined that the Patentability of claim 14 cannot be determined without considering the limitation of: one RIP process is performed for developing a bitmap image data and the developed bitmap data is further converted into bitmap data for a second color image output apparatus.

Such limitation is requested by the applicant not to be considered by the examiner in the reply filed on 2/9/2006.


Accordingly, claim 14 has been withdrawn from consideration.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 2, 2006


KING Y. POON
PRIMARY EXAMINER